## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:11cv244

USA TROUSER, S.A. de C.V.,	)	
	)	
Plaintiff,	)	
	)	
<b>v.</b>	)	<b>ORDER</b>
	)	
INTERNATIONAL LEGWEAR	)	
GROUP, INC., et al.,	)	
	)	
Defendant.	)	
	)	

Pending before the Court is the Plaintiff's Motion for Leave to Take

Deposition of James A. Williams and Scott Andrews After the Deadline for the

Completion of Fact Discovery [# 39]. Previously, this Court denied Plaintiff's

request to extend the discovery period in this case. (Order, July 19, 2012.) The

Court explained that it would not extend the discovery period where Plaintiff has

not been diligent in pursuing discovery. (Order, July 12, 2012.) Plaintiff then

appealed this Order to the District Court. The District Court affirmed the Court's

Order. (Order, Aug. 28, 2012.) Plaintiff now seeks leave of Court to take the

depositions of two individuals after the close of discovery.

Discovery in this case closed August 1, 2012. As this Court has previously explained, the delays in this case in completing discovery are the result of

Plaintiff's failure to engage in discovery in a timely manner. Plaintiff had ample time to conduct these depositions during the discovery period and failed to do so.

Upon a review of the record and Plaintiff's motion, the Court **DENIES** the motion [# 39].

Signed: September 5, 2012

Dennis L. Howell United States Magistrate Judge